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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,936	10/23/2001	David John Seagle	RR1738/2260P	6695

7590 05/07/2003

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EXAMINER

LE, MINH

ART UNIT	PAPER NUMBER
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2652

DATE MAILED: 05/07/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

10/056,936

Applicant(s)

SEAGLE, DAVID JOHN

Examiner

Minh Le

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 7-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Chen et al (U.S.P 6,430,806).

3. As to claims 1 and 7, Chen shows in Figs. 3 and 8 a pedestal defined zero throat write head comprising a first pole (the stack of layers 66 and 74) having a pedestal 66 including a notch 74, the pedestal having a front and a back, a second pole 68, a gap 80 separating the pedestal of the first pole from a portion of the second pole, the gap having a first portion and a second portion, the first portion of the gap being in proximity to front of the pedestal, the second portion of the gap being in proximity to the back of the pedestal, the first portion of the gap being thinner than the second portion of the gap (See Fig. 8).

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4. As to claims 2 and 8, Chen shows in Fig. 8 a pedestal defined zero throat write head wherein the first pole (the stack of layers 66 and 74) further includes a top along the gap, the top of the first pole being recessed along the second portion of the gap.

5. As to claims 3, 9 and 10, Chen shows in Fig. 8 a pedestal defined zero throat write head wherein the second pole 68 includes a bottom interface along the gap, the bottom of the second pole being recessed along the second portion of the gap.

6. As per claim 4, Chen shows in Fig. 8 a pedestal defined zero throat write head wherein the first pole (the stack of layers 66 and 74) further includes a top along the gap and the second pole 68 includes a bottom interface along the gap, the top of the first pole and the bottom of the second pole being recessed at the second portion of the gap.

7. As per claim 5, Chen shows in Fig. 8 a pedestal defined zero throat write head wherein the notch 74 has a first height near the front of the pedestal and a second height near the back of the pedestal, the second height being less than the first height.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having

ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chen.

9. As to claims 6 and 11, Chen shows in Fig. 8 a pedestal defined zero throat write head wherein the notch 74 has a first width near the front of the pedestal and a second width near the back of the pedestal.

But Chen does not show the second width being less than the first width.

However, admission discloses in Fig. 1B the second width being less than the first width.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the pedestal defined zero throat write head of Chen having the second width being less than the first width. By doing this there is more area for magnetic flux to spread.

#### **INQUIRES**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Le whose telephone number is (703) 305-7867. The examiner can normally be reached on 10:00AM - 7:00PM (Mon- Fri).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa T Nguyen can be reached on (703) 305-9687. The fax phone numbers for the organization where this application or proceeding is

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assigned are (703) 305-3718 for regular communications and (703) 305-3718 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

ML  
May 2, 2003



BRIAN E. MILLER  
PRIMARY EXAMINER